



General Assembly

January Session, 2011

***Raised Bill No. 835***

LCO No. 2530

\* \_\_\_\_SB00835ENV\_\_032211\_\_\_\_\*

Referred to Committee on Environment

Introduced by:  
(ENV)

***AN ACT CONCERNING THE STRUCTURES AND DREDGING PERMIT  
PROCESS.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Subsection (b) of section 22a-361 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2011*):

4 (b) The commissioner, at least thirty days before approving or  
5 denying an application for a permit, shall provide or require the  
6 applicant to provide notice, by certified mail, return receipt requested,  
7 or by electronic means to the applicant, to the Commissioner of  
8 Transportation, the Attorney General and the Commissioner of  
9 Agriculture and to the chief executive officer, the chairmen of the  
10 planning, zoning, harbor management and shellfish commissions of  
11 each town in which such structure, fill, obstruction, encroachment or  
12 dredging is to be located or work to be performed, and to the owner of  
13 each franchised oyster ground and the lessee of each leased oyster  
14 ground within which such work is to be performed and shall publish  
15 such notice once in a newspaper having a substantial circulation in the  
16 area affected. [.] Such notice [of] shall contain (1) the name of the

17 applicant; (2) the location and nature of the proposed activities; (3) the  
 18 tentative decision regarding the application; and (4) any additional  
 19 information the commissioner deems necessary. There shall be a  
 20 comment period following the public notice during which interested  
 21 persons may submit written comments. The commissioner may hold a  
 22 public hearing prior to approving or denying an application if, in the  
 23 commissioner's discretion, the public interest will best be served by  
 24 holding such hearing. The commissioner shall hold a public hearing if  
 25 the commissioner receives a written request for such a hearing from  
 26 the applicant, or a petition requesting such hearing that is signed by  
 27 twenty-five or more persons and an application will: (A) Significantly  
 28 impact any shellfish area, as determined by the director of the Bureau  
 29 of Aquaculture at the Department of Agriculture, (B) have interstate  
 30 ramifications, or (C) involve any project that requires a certificate  
 31 issued pursuant to section 16-50k or approval by the Federal Energy  
 32 Regulatory Commission. Following such notice and comment period  
 33 and public hearing, if applicable, the commissioner may, in whole or in  
 34 part, approve, modify and approve or deny the application. The  
 35 commissioner shall provide to the applicant and the persons set forth  
 36 above, by certified mail, return receipt requested, or by electronic  
 37 means, notice of the commissioner's decision. If the commissioner  
 38 requires the applicant to provide the notice specified in this subsection,  
 39 the applicant shall certify to the commissioner, no later than twenty  
 40 days after providing such notice, that such notice has been provided in  
 41 accordance with this subsection. Any applicant aggrieved by a final  
 42 decision of the commissioner after a hearing on such matter may  
 43 appeal to the Superior Court in accordance with the provisions of  
 44 section 4-183.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	22a-361(b)

***ENV***      ***Joint Favorable***

